

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

David J. Bradley, Clerk

AUG - 9 2013

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Jorge Alberto Martinez

A074 402 044

AKA: Jorge Chavez-Martinez

Case Number: M-13-1431 -MIAE YOB: 1972
Honduras

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about August 7, 2013 in Hidalgo County, in the Southern District of Texas

(*Track Statutory Language of Offense*)
 being then and there an alien who had previously been deported from the United States to Honduras in pursuance of law, and thereafter was found near Hidalgo, Texas, within the Southern District of Texas, the Attorney General of the United States and/or the Secretary of Homeland Security, not theretofore having consented to a reapplication by the defendant for admission into the United States;

in violation of Title 8 United States Code, Section(s) 1326 (Felony)

I further state that I am a(n) Senior Patrol Agent and that this complaint is based on the following facts:

Jorge Alberto Martinez was encountered by Border Patrol Agents near Hidalgo, Texas on August 7, 2013. The investigating agent established that the Defendant was an undocumented alien and requested record checks. The Defendant claims to have illegally entered the United States on August 7, 2013, near Hidalgo, Texas. Record checks revealed the Defendant was formally Deported/Excluded from the United States, for the second (2nd) time on December 10, 2012, through Houston, Texas. Prior to Deportation/Exclusion the Defendant was instructed not to return to the United States without permission from the U.S. Attorney General and/or the Secretary of Homeland Security. On August 28, 2001, the defendant was convicted of Aggravated Sexual Assault Child and was sentenced to ten (10) years confinement.

Continued on the attached sheet and made a part of this complaint:

*Approved to file
Today, 8/9/2013
Asst US Attorney*

Yes No

H. Gessler

Signature of Complainant

Howard Gessler Senior Patrol Agent

Peter E. Ormsby

Signature of Judicial Officer

Peter E. Ormsby, U.S. Magistrate Judge
Name and Title of Judicial Officer